Environmental Studies and the Ottawa-Carleton Official Plan

A Guide for Applicants

CUM·PROGRESSU·EUNTES

Regional Municipality of Ottawa-Carleton

Environmental Studies and the Ottawa-Carleton Official Plan

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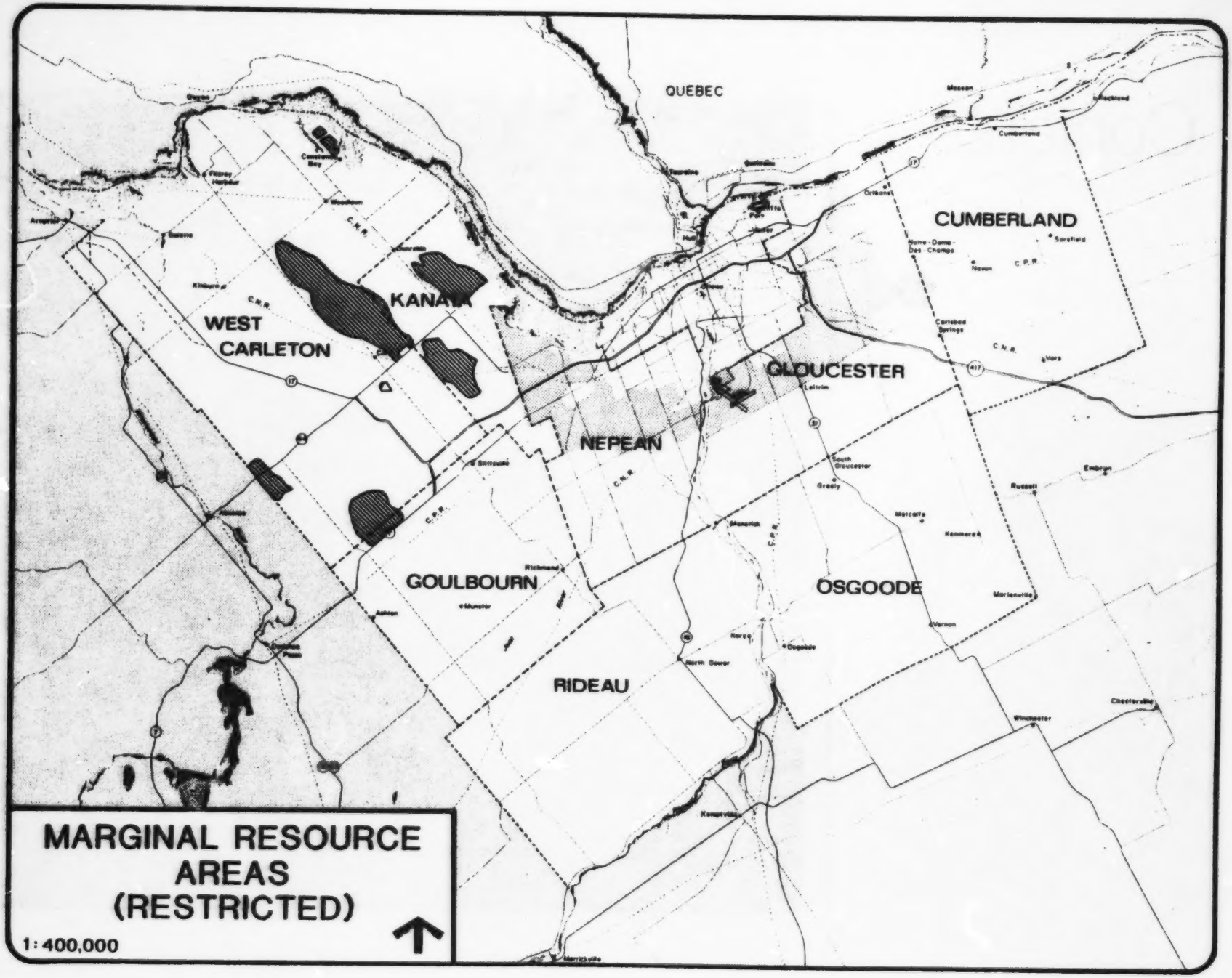
QUEBEC
CUMBERLAND
KANATA
WEST CARLETON
GLOUCESTER
NEPEAN
GOULBOURN
OSGOODE
RIDEAU
MARGINAL RESOURCE AREAS (RESTRICTED)
1:400,000

1. Purpose

The purpose of this manual is to provide guidance to applicants as to where the Ottawa-Carleton Official Plan requires environmental studies as part of an application to sever or subdivide land, what matters such studies should address and what process will be followed in the review of an application.

This manual describes the procedure for a subdivision application to the Plans Administrtion Division of the Planning Department. Further information on the subdivision process in general is contained in the Planning Department publication "Subdivision Procedures, A Guide to Applicants".

The manual also describes the procedure that will be followed by the Land Division Committee in considering an application for severance.

This manual is regarded as appropriate for use by local committees of adjustment in reviewing severance applications.

2. Background

The Ottawa-Carleton Official Plan designates certain lands as Marginal Resource Area (Restricted) — see Map. The objectives for these areas are:

- to protect areas for wildlife;
- to protect areas of scientific or educational value;
- to protect areas of botanical interest;
- to protect areas of scenic value;
- to set aside land for forestry purposes; and
- to protect water supplies and wetlands.

The following uses are permitted:

(i) farming, including the residential accommodation requirements of the farming activity;
(ii) forestry;
(iii) recreational uses which do not adversely affect the natural characteristics of the environment;
(iv) uses that will assist in conserving or managing water supplies, wildlife or other natural characteristics;
(v) uses which will utilize the natural characteristics of these areas for scientific or educational purposes;
(vi) a single family dwelling and accessory buildings on each lot existing and fronting on a public road;

(vii) County lot residential development in accordance with Section 2.4.2.7. of the Regional Official Plan provided that any application for such development be accompanied by appropriate studies that demonstrate that the development;

(a) will not adversely affect public health and safety, that is, will not pollute ground water, will not result in the development of hazard lands, and will be located away from incompatible areas,

(b) has proven availability of an adequate quality and quantity of ground water for private wells, and in particular, has a minimum flow of 3 gallons per minute for each lot,

(c) will cause no adverse impact both on and off the site on such matters as deer, waterfowl, features of botanical significance, wetlands, forestry resources or scenic attributes. The appropriate studies required in this policy shall be carried out by persons qualified in the particular disciplines affected, and,

(d) retains sufficient lands in a natural state to achieve the objectives for marginal resource areas (restricted);

(viii) Other uses, provided it can be demonstrated that they will assist in the preservation of these lands or are not detrimental to the local character of the natural environment.

This manual addresses matters related to environmental studies within the context of the above policy (vii).

3. Content of the Environmental Studies

3.(a) General

The content of the environmental studies required will vary depending on the features already known to be on the land and whether the application is for severance or subdivision. (N.B. It is the practice of the Regional Planning Department when commenting on severance applications for country estate lots to recommend that if more than two new lots are to be created in addition to the one lot being retained, the application proceed by plan of subdivision).

3.(b) Severance Applications

(i) The applicant shall indicate on a site plan the location of wooded areas, marshes, open water and watercourses;

(ii) the possible locations for the houses shall be shown;

N.B. information regarding the suitability of the site for septic tanks and wells may be required to be submitted depending on comments received when the application is put on circulation.
Also, if there appears to be a negative impact on deer, waterfowl, features of botanical significance, wetlands, forestry resources or scenic attributes, as determined from the circulation of the application to the various technical agencies, the applicant will be required to undertake a study of the identified concerns prior to formal consideration of the application by the approval authority.

3.(c) Subdivision Applications

(i) The applicant shall submit a report prepared by a professional* hydrogeologist which identifies the expected well flow rates, water quality and the suitability of the ground for septic tanks for a sufficient number of locations on the property that a professional* conclusion can be drawn with regard to the subdivision satisfying policies (vii) (a) and (b) on page 7 of this manual. Attention should be paid to ensure that where different parts of the property have different geological characteristics, information is provided for each different part;

(ii) The applicant shall indicate on a plan, wooded areas, marshes, open water and watercourses and for those parts of the land that will be occupied by lots or roads shall obtain professional* botanical advice on the nature of the plants and trees on the affected lands and the relative abundance of such species in Ottawa-Carleton**. The applicant shall indicate which areas of vegetation are to be cleared in the construction of the subdivision; the possible locations for the houses; what alterations may be proposed for marshes, open water and watercourses and obtain the advice of a professional* hydrologist and/or hydrogeologist of the probable impact of such alterations on both lands owned by the applicant and on other lands.

(iii) The applicant shall indicate whether deer or waterfowl utilise all or part of the site and in the case of deer whether the area forms part of a deer wintering yard or is used as summer range. The applicant shall also indicate whether deer or waterfowl utilise lands adjacent to the proposed subdivision. Having regard to the above, the applicant shall provide professional* advice as to the degree and nature of impact on the deer and/or waterfowl population resulting both from the construction of the subdivision and from its subsequent occupation.

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* Reference to a "professional" implies someone who has a degree directly related to the field cited and who has experience in and practices in the particular field.

** Reference material concerning plant rarity is listed at the end of this manual.

4. Processing of Applications

(i) Prior to filing an application the applicant should review the information in this manual and then contact the Planning Department to clarify any matters which may not be clear;

(ii) Where a subdivision is proposed, an outline of the proposed environmental studies together with the qualifications of the consultants shall be submitted to the Planning Department for comment before the studies commence. The Planning Department will also be available to meet with the applicant or the consultant during the studies;

(iii) Once the applicant has compiled all the information as outlined in either 3(b) or 3(c), this should be submitted to the Planning Department as part of the application;

(iv) The environmental submission will be checked by the Planning Department to make sure it contains all the required information. If not, the applicant will be advised;

(v) The environmental submission will be circulated to other agencies as part of the circulation of the application;

(vi) When the agencies' comments have been received, a report and recommendations will be prepared to, depending on the circumstances, the Planning Committee, the Planning Commissioner or the Land Division Committee. The probable impact of the development on the environmental features will be considered in making the recommendation. If a recommendation is made that the application not be approved, the report may include a recommendation that the Region negotiate the purchase of the land in question. Regional Council will make the final decision on such purchases;

(vii) If Regional Council decides to negotiate purchase, Council is prepared to have the price arbitrated by the Ontario Municipal Board (formerly the Land Compensation Board) where an agreed price has not been reached within six months — alternatively, if the landowner wishes, Council is prepared to immediately acquire the property through expropriation in accordance with The Expropriations Act.

References Concerning Plant Rarity

1. Gillett, J.M. and D.J. White, 1978. Checklist of Vascular Plants of the Ottawa-Hull Region, Canada. National Museums of Canada.
2. Argus, G.W. and D.J. White, 1977. The Rare Vascular Plants of Ontario. Syllogeus No. 14. National Museums of Canada.

   This is in process of being updated by the ongoing publication, Atlas of the Rare Vascular Plants of Ontario (Argus and White editors). National Museums of Canada.